



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: Councilmember Lisa Bennett
MEETING DATE: June 2, 2010
SUBJECT: Report on Citizens’ Initiative to Limit City Spending on Pensions

RECOMMENDATION. Direct staff to prepare a report on the citizen’s initiative petition that affects City employee retirement benefits and return it to the Council no later than the July 21 City Council meeting. The report should address the fiscal impact of the initiative and its impact on the City’s ability to hire and retain City employees.

BACKGROUND. As you are aware, citizens are circulating a petition for an initiative measure to be placed on the November ballot called “The Sustainable Retirement Benefit Reform Initiative of the City of Pacific Grove.” The official ballot title is: “Voter initiative limiting the ability of the City of Pacific Grove to approve or modify agreements that provide retirement benefits to City employees.”

According to the Elections Code, Section 9212, the Council may, *but is not required to*, direct City staff to prepare a report on the measure as part of the process for placing the measure on the ballot anytime after a petition is being circulated up to and including the date the signatures are certified by the Monterey County Elections Registrar of Voters.

It is my understanding that the proponents already have the required number of signatures for filing and intend to file soon. In order to ensure that the initiative makes the November ballot, I request the City Council decide first if a report on this measure should be done and second, if so, that the report be completed no later than the Council meeting of July 21, 2010.

FURTHER DISCUSSION. According to the Elections Code the report can contain any or all of the following:

- (1) Its fiscal impact.
- (2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.
- (3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.
- (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the

measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.

- (5) Its impact on the community's ability to attract and retain business and employment.
- (6) Its impact on the uses of vacant parcels of land.
- (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
- (8) Any other matters the legislative body requests to be in the report.

In short, we should decide *whether* to ask for a report about the possible implications; if so, *when* (with the understanding that, should we delay such request until such time as the County has certified the signatures, it will prevent the citizens' initiative from making it onto the November ballot, and may appear to be a political tactic not in the public's interest); and if so, what the report should cover.

FISCAL IMPACT. Unknown.

ATTACHMENTS. None.

RESPECTFULLY SUBMITTED:

Lisa C. Bennett

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COUNCILMEMBER